

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	Nowak, Andrew F.	)	ATTORNEY DOCKET:	04236905
		)		
SERIAL NO.:	10/788,496	)	GROUP ART UNIT:	3728
		)		
FILED:	February 27, 2004	)	EXAMINER:	David Fidei
		)		
TITLE:	GIFT AND METHOD FOR PROVIDING SAME			
DATE:	July 25, 2007		CUSTOMER NO.:	26565

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))**

**REQUEST FOR PERMISSION TO WITHDRAW**

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

☐ Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under 37 C.F.R. § 1.60(b) or 37 C.F.R. § 1.62(c), this withdrawal request is also for such continuing application.

**LAST KNOWN ADDRESS OF CLIENT**

2. The last known mailing address of the inventor(s) or assignee(s) of the entire interest is:

Mr. Andrew L. Nowak  
President  
Abner, Inc.  
635 North Waiola  
La Grange Park, IL 60526

### BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c)(5)–(6).  
Mr. Novak and the firm of record have agreed to cease the representation.

### ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due (*if any*)

- (i) ☐ There is no outstanding term for response.  
(ii) ☒ There is an outstanding term for response that is set to expire on 20 August 2007. The above term is extendible under 37 C.F.R. § 1.136(a), until 20 September 2007 and the fees for such extension are not being submitted herewith.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a) is:

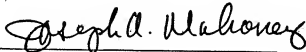
- ☒ at least until 20 September 2007.  
☐ cannot be calculated because this case is/will now be awaiting action by the PTO.

### NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including any attachments, is being sent to the client. A copy of a withdrawal letter to the client is attached.

### SIGNATURE(S) OF WITHDRAWING ATTORNEY(S)

6. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)



Joseph A. Mahoney  
Reg. No. 38,956

Date: July 25, 2007

### MAYER, BROWN, ROWE & MAW LLP

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July 25, 2007

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Direct Tel (312) 701-8979  
Direct Fax (312) 706-8530  
jamahoney@mayerbrownrowe.com

**Re: *Withdrawal of Representation Regarding  
Abner, Inc.***

Dear Mr. Nowak:

Our Firm has withdrawn from any further representation in relation to Abner, Inc. matters for which we have previously acted. This withdrawal is subject only to our obligations in connection with rules applicable to the U.S. Patent and Trademark Office ("PTO"). In particular, we have prepared and filed in the PTO a petition seeking permission to withdraw from representation on the active matter that is currently in the PTO and for which we are counsel of record. A copy of this petition has been included with the enclosed files.

Upcoming Due Dates

As a courtesy, we are enclosing herewith a docket print-out of all the upcoming patent matters we have handled. Please note the list sets forth due dates for various actions. Failure to meet any of these dates could adversely affect your rights, such as causing patents or patent applications to become abandoned.

As noted above, effective immediately, our Firm will have no further responsibility for the handling of these matters, including, but not limited to, filing papers and fees at the PTO or foreign patent offices to meet the above-referenced deadlines. Again, the failure to meet such deadlines may result in the permanent loss of patent rights. We will not advance the fees and costs that would be necessary to meet such deadlines as the deadlines are your sole responsibility.

Berlin Brussels Charlotte Chicago Cologne Frankfurt Houston London Los Angeles New York Palo Alto Paris Washington, D.C.  
Independent Mexico City Correspondent: Jauregui, Navarrete y Nader S.C.

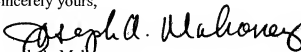
Mayer, Brown, Rowe & Maw LLP operates in combination with our associated English limited liability partnership in the offices listed above.  
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Mr. Andrew L. Nowak  
July 25, 2007  
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Kindly acknowledge your receipt of this letter and all files by signing in the space provided below and returning such copy to me. Duplicate originals are enclosed.

Should you have any questions on the above, please contact me.

Sincerely yours,

  
Joseph A. Mahoney

JAM/csc  
Enclosures

cc: IP Docket  
Record Center (Sheila White)  
Michael Schaller

**ACKNOWLEDGEMENT OF RECEIPT OF THIS LETTER AND ENCLOSED FILES:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Tuesday, Jan 24, 2007

## Due Date List By Client

Page: 1

Client: 120126 ABNER, INC

24-Jul-2007 To 24-Jan-2008

Due Date Indicator	Action Due	Client/Matter/Sub-Case	Status	App Number	App Date Iss Date	Atty's
20-Aug-2007	2nd Extension	120126.04236905 /	Published	10/788496	27-Feb-2004	RSR
Due Date	US-3 Month Office Action	United States of America				
Foreign Matter No.: 04236905						
Resp-Off.: IL						

Title: Gift and Method of Providing Same

Remarks: Response to 03-20-2007 office action due 06-20-2007, final deadline for response, with surcharge, is 09-20-2007

04-Sep-2007	2 Weeks to Final Date	120126.04236905 /	Published	10/788496	27-Feb-2004	RSR
Reminder	US-3 Month Office Action	United States of America				
Foreign Matter No.: 04236905						
Resp-Off.: IL						

Title: Gift and Method of Providing Same

Remarks: Response to 03-20-2007 office action due 06-20-2007, final deadline for response, with surcharge, is 09-20-2007

20-Sep-2007	3rd Extension - Final	120126.04236905 /	Published	10/788496	27-Feb-2004	RSR
Final	US-3 Month Office Action	United States of America				
Foreign Matter No.: 04236905						
Resp-Off.: IL						

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